

1 Remarks

2 Amendments to the claims

3 Claims 1-4, 6-11, 13-17 and 19 are pending. Claim 1, 4, 8, 11, 15 and 17
4 have been amended, as indicated above. Claims 5, 12, 18 and 20 are cancelled
5 without prejudice. The issues in the case are as follows:

- 6 • Claims 1, 6-8 and 13-19 have been rejected under 35 U.S.C. § 102(e) as
7 being anticipated by U.S. Patent No. 6,192,380 to Light et al. (hereinafter,
8 "Light").
- 9 • Claims 2-4, 9-11 have been rejected under 35 U.S.C. § 103(a) as obvious
10 over Light in view of U.S. Patent No. 6,040,832 to Poreh et al. (hereinafter,
11 Poreh")
- 12 • Claims 5 and 19 have been rejected under 35 U.S.C. § 103(a) as obvious
13 over Light in view of Poreh and in further view of Sargur N, Srihari ("Document
14 Image Understanding", Dept. of Computer Science, SUNY Buffalo, IEEE
15 Document No. CH2345-7/86/000/0087, © 1996, pp. 87-96, hereinafter
16 "Srihari".)
- 17 • Claim 20 has been rejected under 35 U.S.C. § 103(a) as obvious over Light in
18 view of Srihari.

19 Support for the amendments to the claims is as follows: Support for the
20 amendment to claim 1 is provided at least by original claim 5. Support for the
21 amendment to claim 8 is provided at least by original claim 12. Support for the
22 amendment to claim 15 is provided at least by original claim 5, original claim 18 and
23 original claim 20. The amendments made herein are for the sole purpose of
24 facilitating an understanding of the differences between the Applicant's claimed
25 invention and the prior art, and are not to be considered as an admission that the
prior art anticipated or rendered obvious the amended claims.

23 Rejection of Claims under 35 U.S.C. § 102

24 Claims 1, 6-8 and 13-19 have been rejected under 35 U.S.C. § 102(b) as
25 being anticipated by Light. The Applicant respectfully disagrees that pending claims
1, 6-8 and 13-19 are anticipated by Light for the reasons set forth below.

1 As a starting point, the PTO and the Federal Circuit provide that §102
2 anticipation requires each and every element of the claimed invention to be
3 disclosed in a single prior art reference. (*In re Spada*, 911 F.2d 705, 15 USPQ2d
4 1655 (Fed. Cir. 1990)). The corollary of this rule is that the absence from a cited
5 §102 reference of any claimed element negates the anticipation. (*Kloster*
6 *Speedsteel AB, et al v. Crucible, Inc., et al*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir.
7 1986)). Furthermore, “[a]nticipation requires that all of the elements and limitations
8 of the claims are found within a single prior art reference.” (*Scripps Clinic and*
9 *Research Found. v Genetech. Inc.*, 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010
10 (Fed. Cir. 1991 (emphasis added))). Moreover, the PTO and the Federal Circuit
11 provide that §102 anticipation requires that there must be no difference between the
12 claimed invention and the reference disclosure. (*Scripps Clinic and Research Found.*
13 *v. Genetech, Inc.*, id. (emphasis added)).

14 With regard to 103(a) rejections for obviousness, MPEP 706.02(j) states:

15 “[t]o establish a prima facie case of obviousness, three basic criteria must
16 be met. First, there must be some suggestion or motivation, either in the
17 cited references themselves or in the knowledge generally available to
18 one of ordinary skill in the art, to modify the reference or to combine the
19 reference teachings. Second, there must be a reasonable expectation of
20 success. Finally, the prior art reference (or references when combined)
21 must teach or suggest all the claim limitations. The teaching or
22 suggestion to make the claimed combination and the reasonable
23 expectation of success must both be found in the prior art and not based
24 on applicant’s disclosure.” (Emphasis added.)

25 Accordingly, if the Applicant can demonstrate that any one element or
limitation in pending claims 1, 6-8 and 13-19 is not disclosed by Light, then the
respective claim(s) must be allowed.

In the following arguments, the Applicant will focus in particular on
independent claims 1, 8 and 15 (as amended) as the Applicant believes those claims
to be allowable over Light. It is axiomatic that any dependent claim which depends
from an allowable base claim is also allowable, and therefore the Applicant does not

1 believe it is necessary to present arguments in favor of each and every dependent
2 claim. The fact that the Applicant has not presented herein specific arguments in
3 favor of the allowability of each and every dependent claim which depends from
4 arguably allowable independent claim is not to be considered as an admission that
5 the dependent claims are only allowable as a result of their dependence on an
6 allowable base claim, but rather as a matter of efficiency in responding to the instant
7 Office action. The Applicant makes no concession nor admission that any
8 dependent claim is allowable based solely on its dependence from an allowable
9 base claim.

10 Claims 1, 8 and 15 have been amended to include at least the limitation of
11 "identifying field entry box(es) by performing edge analyses on the image." Support
12 for this limitation is found in now-cancelled claim 5. The Applicant contends that the
13 cited references do not disclose, teach or even suggest this limitation, either
14 separately or in conjunction with the other recited limitations of claims 1, 8 and/or 15
15 (as amended). Although the Examiner has indicated in the Office action (Pg. 8) that
16 Srihari corrects the deficiencies of Light in view of Poreh in claim 5 (now cancelled)
17 based on teachings of Srihari at Pgs. 87 and 91, the Applicant respectfully
18 disagrees. Specifically, the portion of Srihari cited by the Examiner provides no
19 disclosure, teaching or suggestion whatsoever of "identifying field entry box(es) by
20 performing edge analyses on the image" (as required by Applicant's amended claims
21 1, 8 and 15). Rather, Srihari defines a "digital document image" (language which the
22 Examiner relies on for the obviousness rejection) as "an optically scanned and
23 digitized representation of a printed page" (Abstract, Pg. 87). Rasterized hardcopy
24 documents are not "Web pages". Further, Srihari never discloses, teaches or even
25 suggests "identifying field entry box(es) by performing edge analyses on the image"
(of the Web page). Rather, Srihari teaches that "the aim of a raster to vector process
is to convert a binary pixel representation of line work into a connected set of
segments and nodes" (Pg. 91, "Graphics Processing", para. 1). Srihari in the
following paragraphs then discusses vectorization techniques including "thinning
algorithms" which are not applicable to "edge analysis", and in particular, not
applicable to "edge analysis" for Web page images, despite the Examiner's
characterization of a "thinned image of unit width" as an "edge" (Office action, pg. 8).
Therefore, Light in view Poreh and in further view of Srihari does not anticipate or

1 render obvious Applicant's claim 1 (as amended) since each and every element is
2 neither explicitly taught by, nor inherent in, the references, either independently or
3 read together.

4 Similarly, claim 8 was amended in part to provide for "identifying field entry
5 box(es) by performing edge analyses on the image." For at least the above reasons,
6 claim 8 is also novel and non-obvious over the cited references, and is therefore
allowable over the cited art.

7 Claim 15 was amended to provide "a data collector module configured to read
8 the e-form" of a Web page, "the data collector module capable of capturing an image
9 of the e-form" and of "identifying field entry box(es) by performing edge analyses on
10 the image." For at least the above reasons, claim 15 is also novel and non-obvious
over the cited references, and is therefore allowable over the cited art.

11 Accordingly, since all of the claims (either directly or by virtue of their
12 dependence) now contain a limitation that is not taught, and is not inherent, in the
13 cited reference, there is no way that the claims can be anticipated by Light.
14 Applicant therefore submits that claims 1, 8 and 15, and claims 2-4, 6-11, 13-14, 16-
15 17, and 19 that depend variously therefrom, are all allowable over the cited art for at
least the reasons stated above.

16 Amendment to Abstract

17 As indicated above, an amendment to the Abstract has been submitted
18 pursuant to the Examiner's objection and request for a substitute. Applicant
19 respectfully submits that the Examiner's objection to the Abstract did not provide a
20 specific objection to any language of the Abstract, and the Examiner is respectfully
21 reminded that most Abstract's in fact "reiterate the claims," and further that MPEP
22 608.01(b) places no such prohibition on the content of an Abstract. Therefore, the
23 Examiner is respectfully requested to clarify the objection to the Abstract if the
presently submitted substitute Abstract is objected to for any reason.

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The Examiner is respectfully requested to contact the below-signed representative if the Examiner believes this will facilitate prosecution toward allowance of the claims.

Date: February 28, 2005

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